

REMARKS

These remarks are in response to the Office Action dated September 22, 1997. Claims 12, 14, 15 and 17 are pending and at issue. Claim 12 has been amended to include information omitted due to a typographical error in a Preliminary Amendment filed February 13, 1997. No new matter has been added.

Applicant notes that in a telephone conversation with Applicant's representative on December 17, 1997, Examiner Patterson stated that Application Serial No. 08/604,334 which was cited in the Office Action, is now abandoned. Consequently, all rejections based on this application are moot. Applicant respectfully requests reconsideration of the present application.

THE INVENTION

The present invention provides methods for identifying compositions which modulate the serine and threonine kinase activity of a 55 kD c-Jun N-terminal kinase (JNK). JNK is a member of the mitogen-activated protein kinase family (MAPK) and has been identified as phosphorylating the c-Jun N-terminal activation domain. The MAPK cascade is a major signaling system by which cells transduce extracellular signals into intracellular responses.

I. REJECTIONS UNDER 35 U.S.C. §112

Claims 12 stands rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses this rejection as it may apply to amended claim 12.

Specifically, the Examiner suggests that parts of claim 12 have been mistakenly omitted in the Preliminary Amendment filed February 13, 1997. Applicant has amended claim 12 to include information omitted due to a typographical error.

Applicant believes that in light of the amendment to claim 12, the rejection under 35 U.S.C. §112, first paragraph, is moot. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

In summary, for the reasons set forth herein, Applicant maintains that claims 12, 14, 15 and 17 clearly and patentably define the invention, respectfully request that the Examiner reconsider the various grounds set forth in the Office Action, and respectfully request the allowance of the claims which are now pending.

If the Examiner would like to discuss any of the issues raised in the Office Action, Applicant's representative can be reached at (619) 678-5070.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 12/19/97



Lisa A. Haile, Ph.D.
Reg. No. 38,347

Fish & Richardson P.C.
4225 Executive Square, Suite 1400
La Jolla, CA 92037

Telephone: 619/678-5070
Facsimile: 619/678-5099

46993.LJ1